

Prob12B (10/99)

**FILED**

**UNITED STATES DISTRICT COURT**  
**for the**  
**Western District of Oklahoma**

APR 04 2013

ROBERT D. DENNIS, CLERK  
U.S. DIST. COURT, WESTERN DIST. OF OKLA.  
BY [Signature] DEPUTY

**Request for Modifying the Conditions or Term of Supervision**  
**with Consent of the Offender**

Probation Form 49, Waiver of Hearing is Attached

Name of Offender: Abrahan L. Morales

Case Number: 06-73-1-R

Name of Judicial Officer: The Honorable David L. Russell

Date of Original Sentence: August 8, 2006

Original Offense: Possession of Child Pornography; 18 U.S.C. 2252A(a)(5)(B)

Original Sentence: 60 months custody, 3 years supervised release

Type of Supervision: Supervised Release      Date Supervision Commenced: December 27, 2010

Previous Court Action:

None -

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**PETITIONING THE COURT**

- ☐ To extend the term of supervision for years, for a total of years.  
☒ To modify the conditions of supervision as follows:

The offender agrees to reside at a Bureau of Prisons contract residential reentry center for up to 120 days as directed by the Probation Officer.

**CAUSE**

Violation  
Number

Nature of Noncompliance

1

**Violation of Mandatory Condition: The defendant shall not commit another federal, state or local crime.**

On February 1, 2013, in Des Plaines, Illinois, Mr. Morales violated this

condition of supervised release when he was found in possession of marijuana, as evidenced by his arrest for possession of marijuana, as documented by the Des Plaines Police Department's arrest report. He was scheduled to appear in court March 20, 2013, but failed to appear. Therefore a warrant was issued for fail to appear and a bond hearing is set for April 22, 2013.

- 2     **Violation of Additional Condition: The defendant shall not possess any material that depicts adults and/or minors engaged in sexually explicit conduct, as defined by 18 U.S.C. § 2256(2). The defendant shall not enter any establishment where material depicting sexually explicit conduct can be obtained or viewed.**

On February 1, 2013, Mr. Morales was arrested for possession of marijuana. Officer performed a search subsequent to the arrest and found that Mr. Morales had sexually explicit material on his cellular phone.

- 3     **Violation of Standard Condition No. 11: The defendant shall notify the probation officer within seventy-two hours of being arrested or questioned by a law enforcement officer.**

Mr. Morales violated this condition when he failed to report to his probation officer that he had contact with police within 72 hours of his arrest on February 1, 2013.

- 4     **Violation of Standard Condition No. 7: The defendant shall refrain from excessive use of alcohol and shall not purchase, possess, use, distribute, or administer any controlled substance or any paraphernalia related to any controlled substances, except as prescribed by a physician.**

On February 5, 2013, Mr. Morales submitted a urine specimen that tested positive for the use of marijuana. Furthermore, on February 5, 2013, Mr. Morales admitted to Senior U.S. Probation Officer Missy Kolbe that he used marijuana and consumed alcohol.

On March 7, 2013, Mr. Morales submitted a urine specimen that tested positive for the use of marijuana and he admitted to Senior U.S. Probation Officer Missy Kolbe that he used marijuana. He submitted a urine specimen on March 15, 2013, that was determined to be dilute.

Respectfully submitted by,

*Lori Olmstead*

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Lori Olmstead  
U.S. Probation Officer

Date: March 28, 2013

Reviewed by,

*Norris T. Minter*

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Norris T. Minter  
Supervisory U. S. Probation Officer

Date: April 2, 2013

Prob 12B (10/99)

3

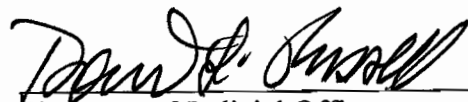
Abrahan L. Morales  
06-73-1-R

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THE COURT ORDERS:

- ☐ No Action
- ☐ The Extension of Supervision as Noted Above
- ☒ The Modification of Conditions as Noted Above
- ☐ Other

4-3-13  
Date

  
Signature of Judicial Officer

PROB 49  
(3/89)

**UNITED STATES DISTRICT COURT**

**WESTERN DISTRICT OF OKLAHOMA**  
**5:06CR00073**

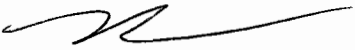
**Waiver of Hearing to Modify Conditions  
of Probation/Supervised Release or Extend Term of Supervision**

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

**The offender agrees to reside at a Bureau of Prisons contract residential reentry center for up to 120 days as directed by the Probation Officer.**

**Witness:**



**Missy Kolbe**  
U.S. Probation Officer

2/5/2013  
(Date Signed)

**Signed:**



**Abrahan Morales**  
Signature of Probationer/ Supervised Releasee

2/5/13  
(Date Signed)